IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

Bail Appl..No. 3626 of 2007()

CC.67/2006 of J.M.C. - I, PONNANI

.....

PETITIONERS/3RD ACCUSED

KOYA, S/O.ABDUTTY, THEKKEPPURATH HOUSE,
AYIROOR AMSOM DESOM, PALAPPETTY POST,
PONNANI, MALAPPURAM DISTRICT.

BY ADV. SRIC.M.MOHAMMED IQUABAL

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 3626 of 2007

DATED: 15-06-2007

O R D E R

Petitioner who is the 3rd accused in Crime No. 44 of 2000 of Perumpadappu Police Station for offences punishable under Secs. 143, 147, 448 and 323 read with Sec. 149 I.P.C. , seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C.No.67 of 2006 on the file of the J.F.C.M- Ponnani, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the contention of the petitioner that the co-accused in the case have been acquitted after trial.

With the above observation this application is disposed of .

V.RAMKUMAR, JUDGE.

ani